

**UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA**

In re BAIR HUGGER FORCED AIR
WARMING DEVICES PRODUCTS
LIABILITY LITIGATION

MDL No. 15-2666 (JNE/DTS)

This Document Relates To:

Adson, 24-cv-02070
Ashley, 23-cv-00938
Auxter, 23-cv-03540
Avery, 23-cv-03338
Balla, 24-cv-01436
Baxter, 23-cv-03507
Blagg, 23-cv-03655
Blakely, 24-cv-00976
Boling, 24-cv-00980
Buxton, 23-cv-03518
Cali, 24-cv-01020
Chamness, 24-cv-00019
Collins, 24-cv-00036
Cornn, 24-cv-00885
Cozzens, 24-cv-01618
Davis, 24-cv-00729
Dawson, 24-cv-00871
Day, 24-cv-01631
Dominguez, 24-cv-00981
Dudeck, 24-cv-00977
Durrough, 23-cv-03649
Esparza, 23-cv-03778
Finks, 24-cv-00706
Fivecoat, 23-cv-03304
Fox, 23-cv-01959
Garvin, 23-cv-03405
Garvin, 24-cv-00890
Gehron, 23-cv-03243
Gibson, 23-cv-01867
Godfrey, 23-cv-03177
Goods, 23-cv-03196
Griffey, 23-cv-01929
Gsell, 24-cv-00869
Halstead, 24-cv-01027
Hamilton, 24-cv-00708
Haney, 24-cv-00814

**DEFENDANTS' MOTION TO
DISMISS FOR FAILURE TO
COMPLY WITH PRETRIAL
ORDER NO. 14, OR FOR FAILURE
TO PROSECUTE: PRODUCT
IDENTIFICATION**

Harding, 24-cv-00926
Hartley, 23-cv-03801
Hernandez, 24-cv-00701
Hill, 24-cv-00393
Honea, 23-cv-02162
Houston, 24-cv-00742
Hoya, 24-cv-00701
Huckabey, 23-cv-01592
Huddleston, 24-cv-00656
Huston, 23-cv-03677
Jackson, 24-cv-00782
Jackson, 24-cv-00985
Jett, 24-cv-00380
Keeling, 23-cv-03529
Kemp, 24-cv-00704
Keys, 24-cv-00712
Kinsey, 23-cv-01423
Kippins, 23-cv-03654
Kushmaul, 24-cv-00859
Lanier, 23-cv-03322
Lenhart, 24-cv-00291
Lomas, 24-cv-00672
Long, 24-cv-00878
McCord, 24-cv-00874
McCraken, 23-cv-02926
McManaway, 24-cv-00112
Merritt, 24-cv-00657
Million, 23-cv-01179
Monroe, 24-cv-00978
Mosley, 24-cv-00896
Nguyen, 24-cv-00330
Nunez, 24-cv-00852
Panfili, 23-cv-01188
Paxson, 24-cv-00101
Phillips, 24-cv-00931
Pignotti, 23-cv-00967
Place, 24-cv-00723
Preston, 23-cv-01007
Prior, 24-cv-00677
Pruitt, 24-cv-00849
Ramis, 24-cv-00733
Redman, 16-cv-02299
Reed, 24-cv-00979

Riley, 23-cv-00979
Roudebush, 24-cv-00060
Salinas, 23-cv-00974
Schuchmann, 24-cv-00730
Sheets, 23-cv-01114
Shoemaker, 24-cv-01037
Silas, 24-cv-00853
Snowden, 23-cv-01633
Stanton, 24-cv-00891
Summerlott, 23-cv-01221
Suggs, 24-cv-01032
Sullivan, 23-cv-00937
Thompson, 24-cv-00994
Underwood, 24-cv-00865
Ventola, 24-cv-00748
Walker, 24-cv-00698
Weatherly, 24-cv-01042
White, 24-cv-00870
Williams, 24-cv-00250
Williams, 24-cv-00737
Williams, 24-cv-00992
Yacovone, 24-cv-00705
Yoder, 24-cv-00402
Zenko, 24-cv-00744

Pursuant to Pretrial Order No. 14 and Federal Rule of Civil Procedure 41(b), Defendants 3M Company (“3M”) and Arizant Healthcare Inc. (“Arizant”) (collectively, “Defendants”) respectfully move the Court to dismiss all of the above-referenced cases in their entirety with prejudice for failure to comply with Pretrial Order No. 14, and Fed. R. Civ. P. 41(b). In the alternative, Defendants request that the above-referenced plaintiffs serve amended PFS answers to cure all listed deficiencies within 14 days, and the amended PFS answers must include an answer to PFS Section III, Question 1 that identifies by Bates number the specific page of the record supporting Bair Hugger product identification.

As set forth in the accompanying Memorandum of Law, each plaintiff: i) served a PFS with a core deficiency in Section III, Question 1; ii) received a deficiency notice listing the deficiency in Section III, Question 1; iii) either ignored 3M's deficiency notice, or failed to properly cure the deficient answer; and iv) was listed on at least two consecutive court conference agendas for dispute. The above-referenced matters have failed to meet the requirements of this Court's Orders and the Federal Rules of Civil Procedure, and dismissal is appropriate.

Dated: March 3, 2025

Respectfully submitted,

s/ Benjamin W. Hulse

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